

(c) *The commissioners court of a county that collects a mandatory payment authorized under this chapter shall set the amount of the mandatory payment. The amount of the mandatory payment required of each paying hospital may not exceed six percent of the paying hospital's net patient revenue.*

(d) *Subject to the maximum amount prescribed by Subsection (c), the commissioners court of a county that collects a mandatory payment authorized under this chapter shall set the mandatory payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the county for activities under this chapter, to fund an intergovernmental transfer described by Section 292B.103(c)(1), and to pay for indigent programs, except that the amount of revenue from mandatory payments used for administrative expenses of the county for activities under this chapter in a year may not exceed the lesser of four percent of the total revenue generated from the mandatory payment or \$20,000.*

(e) *A paying hospital may not add a mandatory payment required under this section as a surcharge to a patient.*

Sec. 292B.152. ASSESSMENT AND COLLECTION OF MANDATORY PAYMENTS. *The county may collect or contract for the assessment and collection of mandatory payments authorized under this chapter.*

Sec. 292B.153. INTEREST, PENALTIES, AND DISCOUNTS. *Interest, penalties, and discounts on mandatory payments required under this chapter are governed by the law applicable to county ad valorem taxes.*

Sec. 292B.154. PURPOSE; CORRECTION OF INVALID PROVISION OR PROCEDURE. (a) *The purpose of this chapter is to generate revenue by collecting from institutional health care providers a mandatory payment to be used to provide the nonfederal share of a Medicaid supplemental payment program.*

(b) *To the extent any provision or procedure under this chapter causes a mandatory payment authorized under this chapter to be ineligible for federal matching funds, the county may provide by rule for an alternative provision or procedure that conforms to the requirements of the federal Centers for Medicare and Medicaid Services.*

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on April 27, 2017: Yeas 141, Nays 3, 3 present, not voting; passed by the Senate on May 19, 2017: Yeas 29, Nays 2.

Approved May 26, 2017.

Effective May 26, 2017.

EXEMPTION FROM TAXES AND SPECIAL ASSESSMENTS OF PROPERTY OF A NAVIGATION DISTRICT

CHAPTER 112

S.B. No. 1133

AN ACT

relating to the exemption from taxes and special assessments of property of a navigation district.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 60, Water Code, is amended by adding Section 60.005 to read as follows:

Sec. 60.005. EXEMPTION FROM TAXATION AND SPECIAL ASSESSMENTS. The property of a district is public property used for essential public and governmental purposes. The district and the district's property are exempt from all taxes and special assessments imposed by this state or a political subdivision of this state.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed the Senate on April 26, 2017: Yeas 31, Nays 0; passed the House on May 11, 2017: Yeas 130, Nays 14, two present not voting.

Approved May 26, 2017.

Effective May 26, 2017.

**AN UNLAWFUL EMPLOYMENT PRACTICE BY AN EMPLOYER
WHOSE LEAVE POLICY DOES NOT PERMIT AN EMPLOYEE
TO USE LEAVE TO CARE FOR THE EMPLOYEE'S FOSTER
CHILD**

CHAPTER 113

H.B. No. 88

AN ACT

relating to an unlawful employment practice by an employer whose leave policy does not permit an employee to use leave to care for the employee's foster child.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 21, Labor Code, is amended by adding Section 21.0595 to read as follows:

Sec. 21.0595. DISCRIMINATORY LEAVE POLICY AFFECTING EMPLOYEE'S ENTITLEMENT TO PERSONAL LEAVE TO CARE FOR SICK FOSTER CHILD. An employer commits an unlawful employment practice if:

(1) the employer administers a leave policy under which an employee is entitled to personal leave to care for or otherwise assist the employee's sick child; and

(2) the leave policy described by Subdivision (1) does not treat in the same manner as an employee's biological or adopted minor child any foster child of the employee who:

(A) resides in the same household as the employee; and

(B) is under the conservatorship of the Department of Family and Protective Services.

SECTION 2. Section 21.0595, Labor Code, as added by this Act, applies only to a claim of discrimination based on conduct that occurs on or after the effective date of this Act. A claim of discrimination that is based on conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on April 13, 2017: Yeas 136, Nays 2, 3 present, not voting; passed by the Senate on May 12, 2017: Yeas 31, Nays 0.

Approved May 26, 2017.